

2011 HOUSE TRANSPORTATION

HB 1200

2011 HOUSE STANDING COMMITTEE MINUTES

House Transportation Committee
Fort Totten Room, State Capitol

HB 1200
01/20/2011
Job # 13157

Conference Committee

Committee Clerk Signature *Janette Cook*

Explanation or reason for introduction of bill/resolution:

This is bill to remove the North Dakota Farm Bureau as a member of the Advisory Council of the Upper Great Plains Transportation Institute.

Minutes:

Attachment #1

Representative Brandenburg, District 28, introduced HB 1200. He explained that this bill deals with a member of the Upper Great Plains Transportation Institute that would like to be removed from the Advisory Council. This would be the North Dakota Farm Bureau. They are just going through the procedure that would take care of this issue.

Sandy Clark, North Dakota Farm Bureau: We are asking to be removed from the Advisory Council of the Upper Great Plains Transportation Institute. See attached testimony #1.

Representative Onstad: You referenced other mediums. What kind of considerations is Farm Bureau having?

Sandy Clark: We will be using our own transportation committees and that sort of thing. If we decide that we need some transportation research done, that still doesn't preclude us from working with of the Upper Great Plains Transportation Institute to do some research. We traditionally have not, simply because we do not have the kind of money it takes to pay for those kinds of research projects. We can still work on transportation issues with other Ag. organizations.

Representative Delmore: Were there specific issues that made you decide that this committee was not a good fit; were there conflicts?

Sandy Clark: Not any more than there would be with any type of organization. We have had some philosophical differences on some things from time to time.

Chairman Ruby: Have you polled your membership on this or was it a board decision?

Sandy Clark: Our policy is member driven. We have fifty county Farm Bureaus, and they bring the policy through the counties to our House of Delegates. Every single resolution is

voted on. This policy did come through that process and was voted on by our House of Delegates. Let me reiterate that the Board did ratify the interpretation of the policy as well.

Jeff Enger, North Dakota Corn Growers: I am here to support an amendment to the bill which would include North Dakota Corn Council as a member of this Advisory Board.

Chairman Ruby: What is the avenue to get approval to be on this board? Or, is it just us putting everyone on?

Jeff Enger: I can't answer that.

Chairman Ruby: I'm sure it is, but I didn't know if the Council had a problem with more or less groups.

Representative R. Kelsch: We have had bills before us in previous session to try to add organizations to the Council. They haven't been very successful.

Chairman Ruby: I thought that one was attempting to thin down the number of representations.

Representative Gruchalla: Did the Corn Council attempt to go on here to replace the North Dakota Farm Bureau? Is that why you asked to get on now because there is a vacancy?

Jeff Inger: Yes, we knew that there was an opening. We decided that it was a perfect fit for our organization, especially with the infrastructure issues that we are dealing with today of the roads, railroads, and grain elevators. It is critically important for us to be involved in this.

Representative R. Kelsch: Wouldn't you be included in the North Dakota Grain Growers Association?

Jeff Inger: I don't believe we are.

Representative R. Kelsch: Isn't corn considered a grain, or is that only the wheat, barley, and flax?

Jeff Inger: I believe that it would be wheat, Durham,

Representative R. Kelsch: It just seems redundant. We have Grain Growers, which I thought that corn would be considered under that. Then we have the Wheat Commission, which also seems to be redundant because wheat is considered under the Grain Growers. I don't know just how that works.

Jeff Inger: I don't believe that soy beans are under the Grain Growers either.

Chairman Ruby: It is a good question. You don't have any affiliation with the Grain Growers at all?

Jeff Inger: No.

Chairman Ruby: Do you have an amendment drawn up with that?

Jeff Inger: No, we don't.

No further support for HB 1200.

There was no opposition to HB 1200

The hearing on HB 1200 was closed.

Representative R. Kelsch: We have had this subject matter in this committee before. We talked about adding new group members. You probably thought that this hearing would be more contentious than it was because that is the way it has been in the past. I thought that the Corn Growers would have been included in the Grain Growers, but if they are not it would be worth our consideration. Corn is being used extensively for ethanol and potentially has more transportation issues. I would like to have heard more justification about why they wanted to be a member of the Upper Great Plains Transportation Institute.

Chairman Ruby: I believe there was one more that was planning to request, but they couldn't get approval from their board in time. They may not be the only that want to be part of this Advisory Council. I think that corn is probably important because of the other uses.

Representative R. Kelsch: I guess if we are taking one off and putting one on, they may not be equal, but at least it would be new voice.

Representative Weisz: We tried a few sessions ago to look at the list to see what is reasonable. Those efforts failed. You could add everyone on there. I think we should open it to let everyone on by adding another 5-7, or leave it the way it is. The committee needs to decide if we add anyone and everyone. There are a lot of Agricultural groups, and every one of them needs to move their products. I would recommend that we accept the original bill, and I would be leery of adding other groups because I don't know how you turn anyone else down.

Representative Gruchalla: This is a voluntary organization. It doesn't cost any tax dollars to be on here. I think that groups want to be on here to have a voice in what is going on in transportation. I think that is what we should do.

Chairman Ruby: There is the question that Representative Weisz brought up. How many more do we add?

Representative Onstad: At this point there have been no additional requests, so, I think that we should honor the request of the Corn Growers. It is a voluntary situation.

Representative Hogan: I would be interested in knowing what the Upper Great Plains Transportation Institute thinks about the size of the Advisory Council. If you have any feedback from them about the use of the council, and if they think the size is right, I would be interested in knowing that.

Steve Streege, North Dakota Grain Growers: The Institute was organized in 1967, and the focus then was agricultural commodities exclusively. It started out with the North Dakota Chamber of Commerce, the PSC, Farm Bureau, Farmer's Union, Wheat Commission, North Dakota Grain Growers, Motor Carriers, Stockmen who later asked to be taken off, and Aeronautics. The ones that have been added in the past ten or twelve years are Department of Transportation, Department of Ag., AGC, Association of Counties and League of Cities, Lignite Council, and the Dakota Transit Association. There is really no limit on the number of people that can be on it. It did start out all Ag., but now it has been diversified.

Russ Hanson, Associated General Contractors and serves on the Advisory Council of the Upper Great Plains Transportation Institute: The policy decision about the number is clearly in your hands. The Council has no position on this bill. In the last couple of years there has been no discussion about the size of the board.

Chairman Ruby: Do you think there will be a concern about the size of the board because of numerous groups wanting to be part of this?

Russ Hanson: I don't think so. We meet twice a year, and it is voluntary. There is no payment to those that meet.

Representative Gruchalla moved the amendment to add the Corn Growers.

Representative Onstad seconded the motion.

Representative Vigesaa: I am going to support the amendment. The corn industry in our state has grown at a tremendous rate in the past four to five years. They have transportation issues.

A voice vote was taken on the amendment. The motion carried.

Representative Heller moved a **DO PASS** as amended for HB 1200.

Representative Hogan seconded the motion.

Representative Heller: In the bill it says that they may receive reimbursement. Does that ever happen, and if so, where does it come from?

Russ Hanson: For the time I have been on there, it has never been offered or discussed. I would assume it would come through the agency's budget, if it was paid.

Representative R. Kelsch: I think that the language was put in there in case there ever was money, but there has never been an appropriation. It was standard language when this was written.

A roll call vote was taken. Aye 14 Nay 0 Absent 0

The motion carried on HB 1200.

Representative Vigesaa will carry HB 1200.

January 20, 2011

VK
1/20/11

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1200

Page 2, after line 7, insert:

"s. The North Dakota corn council."

Renumber accordingly

Date: 1-20-11

Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1200

House TRANSPORTATION Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By E. Gruchalla Seconded By Onstad

Representatives	Yes	No	Representatives	Yes	No
Chairman Ruby			Representative Delmore		
Vice Chairman Weiler			Representative Gruchalla		
Representative Frantsvog			Representative Hogan		
Representative Heller			Representative Onstad		
Representative R. Kelsch					
Representative Louser					
Representative Owens					
Representative Sukut					
Representative Vigasaa					
Representative Weisz					

Total (Yes) 13 No 1

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Amendment

Date: 1-20-11

Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1200

House TRANSPORTATION Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended Adopt Amendment

Rerefer to Appropriations Reconsider

Motion Made By Heller Seconded By Hogan

Representatives	Yes	No	Representatives	Yes	No
Chairman Ruby	X		Representative Delmore	X	
Vice Chairman Weiler	X		Representative Gruchalla	X	
Representative Frantsvog	X		Representative Hogan	X	
Representative Heller	X		Representative Onstad	X	
Representative R. Kelsch	X				
Representative Louser	X				
Representative Owens	X				
Representative Sukut	X				
Representative Vigessaa	X				
Representative Weisz	X				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Vigessaa

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1200: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1200 was placed on the Sixth order on the calendar.

Page 2, after line 7, insert:

"s. The North Dakota corn council."

Renumber accordingly

2011 SENATE AGRICULTURE

HB 1200

2011 SENATE STANDING COMMITTEE MINUTES

Senate Agriculture Committee
Roosevelt Park Room, State Capitol

(Engrossed) HB 1200
March 11, 2011
Job #15290

Conference Committee

Committee Clerk Signature

Greta Nelson

Explanation or reason for introduction of bill/resolution:

Relating to members of the advisory transportation council to the upper Great Plains transportation institute.

Minutes:

Attachment: # 1,

Vice Chairman Senator Larsen: Meeting called to order this 11th day of March, 2011 for Engrossed HB1200 at 9:00 am. Clerk will take the roll call.

Clerk: Roll call 6-1 (Senator Flakoll absent)

Senator Larsen; HB 1200

Tom Bodine; ND Farm Bureau (Attachment #1) Support HB 1200

Senator Heckaman; Expand on why you feel you don't fit?

Tom Bodine: We have been involved with the council and have worked on transportation issues. Our philosophies don't fit....conflict occur and would be good for us to be removed.

Senator Larsen: How long has the Farm Bureau been a part of the council?

Tom Bodine; Not exactly sure....when it was created. That is when we were put on the council.....from the beginning when it was developed.

Senator Miller; Who currently occupies the seat for the Farm Bureau?

Tom Bodine: Sandy Clark....she could answer the question as she has been the liaison.

Senator Miller; Transportation institute has been going through a metamorphosis of sort....does the Farm bureau is not addressing the Ag issues that it should be and therefore the Farm Bureau feels it should pursue other means? Is that why you want to remove yourself?

Tom Bodine: Reports that Sandy has given at the state boardour focus is on more the Ag industry and her recommendation and board decision was to look at how we can focus more on the transportation issues with internal committees. There have been decision that have been made we did not agree with....making it a reason(s) for us to not feel we are not a fit.

Senator Heckaman; You don't have anything to do with the request and the corn council to go on?

Tom Bodine: We would encourage the corn council to go on.

Senator Larsen; Discussion?

Joel Gilbertson: ND Corn Council. We support the amendment of the Engrossed HB 1200. History of Upper Great Plains Transportation Institute and relationship with the Corn growers. Infrastructure all the state and particular the rural roads are absolutely top concern of the Corn Council as well. Last summer we hired the UGPTI to do a study to get more information about the needs for rural roads (infrastructure). They completed the studyformed the bases for the SB 2325 which has spirited debate on the floor and passed to the other side. That was the relationship between UGPTI and the Corn Council.....Upper Great Plains has an outstanding reputationone of the members of the advisory council the Farm Bureau wants off.....would Corn Council want to go on the board. The Corn C is anxious to go on the board....corn in ND has exploded in numbers acreage and industry of Ag. We are supporting this HB 1200.

Senator Larsen; Discussion?

Senator Luick; We would appreciate a copy of your reports

Joel Gilbertson: Get them to you by tomorrow.

Senator Klein: Historywe have added a few folks.wasn't it established more on the lines of agriculture. Would that be in your book?

Joel Gilbertson: There is some information in that report. We don't have any oil or gas members on the Upper Great Plains....do we need more Ag membership. I agree we need more from the oil and gas. We will be asking for their membership.

Senator Klein; Remember was the initial formation of this group from NDSU with the idea of it being to help with issues that dealt with agriculture and transportation?

Joel Gilbertson: I do have information.....Gene was there at the start and now has many employees working and involved nationally and various state efforts and been a very successful effort. They are on the NDSU payroll.

Senator Larsen; Discussion?

Senator Larsen; Opposition?

Senator Klein; I move a Do Pass HB 1200

Senator Luick; Second

Senator Larsen; Discussion Clerk take roll

Clerk: 6-0-1 (Senator Flakoll absent)

Senator Larsen: Do Pass 6-0-1

Senator Larsen: Carrier Senator Luick

Senator Larsen; Close hearing for HB 1200

Pictures on Thursday at 11:00 am

Date: 3/11/11

Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1200 (ENGROSSED HB)

Senate Agriculture Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Senator Klein Seconded By Senator Luick

Senators	Yes	No	Senators	Yes	No
Chairman Flakoll			Senator Heckaman	✓	
Vice-Chair Larsen	✓				
Senator Klein	✓				
Senator Luick	✓				
Senator Miller	✓				
Senator Murphy	✓				

Total (Yes) 6 No 0

Absent 1 (Senator Flakoll)

Floor Assignment Senator Luick

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1200, as engrossed: Agriculture Committee (Sen. Flakoll, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1200 was placed on the Fourteenth order on the calendar.

2011 TESTIMONY

HB 1200



**North Dakota
Farm Bureau**

Bringing ag home

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**Testimony on HB 1200
House Transportation Committee**

January 20, 2011

Presented by Sandy Clark, public policy director

Good morning, Mr. Chairman, and members of the committee. My name is Sandy Clark and I represent North Dakota Farm Bureau.

We are here today to support HB 1200. North Dakota Farm Bureau is asking to be removed from the Advisory Council of the Upper Great Plains Transportation Institute.

We simply don't believe we are a good fit for the advisory council. We have enjoyed our affiliation with UGPTI for a number of years. We just think its time for us to pursue our transportation agenda through other mediums.

The council includes a number of agricultural organizations and they do a great job of representing the agricultural industry on transportation research issues. The Upper Great Plains Transportation Institute has provided some valuable research for all segments of the transportation industry.

Transportation is still a high priority issue for North Dakota Farm Bureau. Obviously, our members rely heavily on a transportation infrastructure to move their commodities to market. We will continue to support many of the efforts of UGPTI.

We will remain involved in policy issues relative to transportation.

We appreciate your consideration and ask for a "do pass" recommendation on HB 1200. Thank you and I would entertain any questions.



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**North Dakota Farm Bureau Testimony on HB 1200
Senate Agriculture Committee**

March 11, 2011

Presented by Tom Bodine, leadership development assistant

Good morning, Mr. Chairman, and members of the committee. My name is Tom Bodine and I represent North Dakota Farm Bureau.

We are here today to support HB 1200. North Dakota Farm Bureau is asking to be removed from the Advisory Council of the Upper Great Plains Transportation Institute.

We simply don't believe we are a good fit for the advisory council. We have enjoyed our affiliation with UGPTI for a number of years. We just think its time for us to pursue our transportation agenda through other mediums.

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